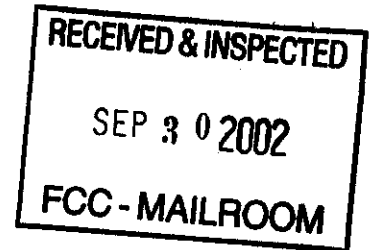


**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

FCC 02M-90  
01578

In the Matter of	)	MB DOCKET NO. 02-236
	)	
<b>HILCO COMMUNICATIONS, INC.</b>	)	File Nos. BALH-20010731ACB
(Assignor)	)	
	)	
and	)	
	)	
<b>CUMULUS LICENSUNG CORP.</b>	)	
(Assignee)	)	
	)	
For Consent to Assignment of License of	)	
KAYD-FM, Silsbee, Texas	)	



**O R D E R**

Issued: September 26, 2002      Released: September 30, 2002

A hearing was provisionally set under Hearing Designation Order FCC 02-236, released September 5, 2002 (“HDO”), provided that Hilco Communications, Inc., (assignor) and Cumulus Licensing Corp. (assignee) did not jointly elect within 20 days to “defer consideration” of the assignment application.<sup>1</sup> HDO at Para. 49. A Prehearing Conference was set for October 16, 2002. Order FCC 02M-80, released September 11, 2002.

By Joint Election to Defer Consideration of Application timely filed on September 25, 2002, the Presiding Judge was notified as follows:

Hilco Communications, Inc. (“Hilco”) and Cumulus Licensing Corp. (“Cumulus”), by their respective attorneys, hereby jointly elect to defer further consideration of the above-captioned application to assign the license of Station KAYD-FM, Silsbee, Texas, from Hilco to Cumulus in accordance with paragraph 49 of the Commission’s Hearing Designation Order, ....

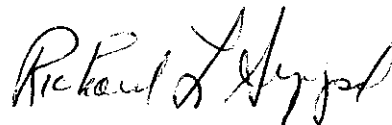
<sup>1</sup> The HDO also provided for a period of 15 days to permit the assignment parties an opportunity to file additional materials which they deem relevant to ameliorate competitive concerns identified in the HDO. See HDO at Para. 51.

The procedural effect of the Joint Election is to defer further consideration of the application to assign the license of Station KAYD-FM, Silsbee, Texas to Cumulus Licensing Corp. in accordance with the Commission's interim policy under NPRM in MM Docket No. 01-317.<sup>2</sup> See HDO at Para. 49. Therefore, there is no need at this time for formal, supervised discovery and hearing preparation.

Accordingly, IT IS ORDERED that the Prehearing Conference set for October 16, 2002, IS CANCELLED.

IT IS FURTHER ORDERED that unless the Commission orders otherwise, this hearing MUST BE AND IS DEFERRED pending further order.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Richard L. Sippel", is written over the printed name.

Richard L. Sippel  
Chief Administrative Law Judge

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<sup>2</sup> Interim policy adopted in Notice of Proposed Rulemaking, supra. See Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets, 16 FCC Rcd 19861, 19894 - 97 (2001).